

REMARKS / ARGUMENTS

Claims 1-6 and 8 have been amended, and Claims 1-10 are pending. Applicant has carefully considered the application in view of the Examiner's action and, in light of the foregoing amendments and the following remarks, respectfully requests reconsideration and full allowance of all pending claims.

As a preliminary matter, it is noted that Claims 1-6 and 8 have been amended to correct minor grammatical errors, without adding any new matter to the application.

Claims 1, 3, 4, and 6-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2001/0018345 to Longoni et al. (hereinafter "*Longoni*") in view of TSG-RAN Working Group 2 – TSGR#2(99)181 (hereinafter "*TSGR*"). Claims 2, 2, and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Longoni* in view of *TSGR* and further in view of well known prior art (MPEP 2144.03). In response, Applicant respectfully traverses these rejections for following reasons.

Longoni has been cited as fully disclosing Applicant's invention as recited in Claims 1, 3, 4, and 6-9, except merely for the teaching of the step of delaying initiation of the cell update until the reconfiguration has been applied, for which *TSGR* was cited. The pertinent section of the *TSGR* document cited by the Examiner states:

The cell update procedure is used by the UE to inform the UTRAN that the UE has switched to a new cell. The procedure is a forward handover procedure. Normally the procedure is triggered after change of cell and after UE has read information broadcast by UTRAN.

This section of the *TSGR* document describes triggers which may trigger a cell update procedure. Arguably, this portion of the *TSGR* document teaches "detecting a trigger event which indicates that a cell update is required". However, it is not at all clear how the *TSGR* can be understood to teach or even suggest "delaying initiation of the cell update until the reconfiguration has been applied" as recited by Applicant in independent Claims 1, 3, 6, and 8.

More specifically, if the phrase "triggered after change of cell" as disclosed in the *TSGR* document is understood as "detecting a trigger event which indicates that a cell update is required", then the phrase "the procedure is triggered ... after the UE has read information

broadcasted by UTRAN” would have to be (incorrectly) interpreted to read onto “delaying initiation of the cell update until the reconfiguration has been applied” as recited by Applicant in independent Claims 1, 3, 6, and 8. It is respectfully submitted, though, that such an analysis of the *TSGR* document is incorrect. That is, “read[ing] information broadcasted by UTRAN”, as disclosed in the *TSGR* document, is clearly different from “delaying initiation of a cell update until a reconfiguration has been applied”, as recited by Applicant in independent Claims 1, 3, 6, and 8.

In view of the foregoing, it is apparent that none of the cited references, either singularly or in any combination, teach, suggest, or render obvious the unique combination now recited in independent Claims 1, 3, 6, and 8 that initiation of a cell update is delayed until a reconfiguration has been applied. It is therefore respectfully submitted that Claims 1, 3, 6, and 8 clearly and precisely distinguish over the cited combinations of references in a patentable sense, and are therefore allowable over those references and the remaining references of record. Accordingly, it is respectfully requested that the rejection of Claims 1, 3, 6, and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Longoni* in view of *TSGR* be withdrawn.

Claims 2, 4, 5, 7, 9, and 10 depend from and further limit independent Claims 1, 3, 6, and 8, in a patentable sense, and, for this reason and the reasons set forth above, are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejection of dependent Claims 2, 4, 5, 7, 9, and 10 be withdrawn, as well.

Applicant has reviewed the prior art made of record and not relied on, and has concluded that this art does not prejudice the patentability of the invention as defined by the present claims. For this reason and the reason that they have not been applied against Applicant’s claims, no further discussion of them is deemed necessary.

Enclosed is a Petition for Extension of Time, along with authorization to charge the extension of time fees to Deposit Account No. 50-2032 of Scheef & Stone, L.L.P.

Applicant does not believe any fees are due in connection with the filing of this paper, other than fees associated with the accompanying Petition for Extension of Time; however, in the event that any other fees are due, the Commissioner is hereby authorized to charge any

required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper, to Deposit Account No. 50-2032 of Scheef & Stone, L.L.P.

Applicant has now made an earnest attempt to place this application in condition for allowance. Therefore, Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 1-10 so that the application may be passed to issue.

Should the Examiner have any questions or desire clarification of any sort, or deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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